Summons in a Civil Action (Rev 11/97)

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

FILED
JUN 16 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY CP DEPUTY

Rosario R. Tina, &
Jesus G. Tina, Pro se

vs

DOWNEY SAVINGS AND LOAN ASSOCIATION, F.A. and DSL SERVICE COMPANY

SUMMONS IN A CIVIL ACTION
Case No. '08 CV 1004 BTM POR

TO: (Name and Address of Defendant)

DSL / FCI / NATIONAL LENDER SERVICES
8180 E. KAISER BLVD
ANAHEIM HILLS, CA 92808

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon PLAINTIFF'S ATTORNEY

Rosario R. Tina, Plaintiff
865 Euclid Avenue
San Diego, CA 92114
Phone 619-813-7844

An answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

W. Samuel Hamrick, Jr. JUN 05 2008

CLERK DATE

By [signature], Deputy Clerk

Summons in a Civil Action

::ODMA\PCDOCS\WORDPERFECT\14443\1 May 5, 1999 (11:34am)

RETURN OF SERVICE

Service of the Summons and Complaint was made by me	DATE June 6, 2008
NAME OF SERVER Jay Cleveland	TITLE TRANSMITTER

Check one box below to indicate appropriate method of service

[X] Served personally upon the defendant. Place where served: 8180 East Kaiser Blvd Anaheim Hill CA 92808

[ ] Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:

Name of person with whom the summons and complaint were left: Pati Cheline
09:55 A.M

[ ] Return unexecuted:

ON June 6 2008 At 09:55 A.m
I Jay Cleveland hereby Certified that I

[X] Other (specify): Service DSL/FCI National Lender Service Summons, Temporary Restraining order And 13 June Jay Cleveland

STATEMENT OF SERVICE FEES

TRAVEL		SERVICES	TOTAL $0.00	

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.

Executed on: June 6, 2008 — Date

Jay Cleveland
Signature of Server

909 Paradise Knoll Ct NC, 91950
Address of Server

NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE

IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.

YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.

JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

Monday, June 16, 2008

On June 6, 2008 , I Jay Cleveland hereby certified that I hand carry and serve to Downey Saving and Loans, DSL/FCI National Loan Servicing Company summons of Complaint and Ex-Parte Temporary Restraining Order on behalf of Rosarito & Jesus Tina

Sincerely Your

Jay Cleveland